

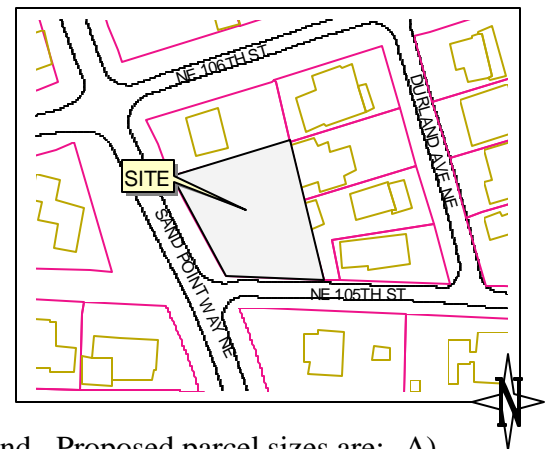


City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3004210
Applicant Name: Debora Goodman
Address of Proposal: 4602 NE 105th Street



SUMMARY OF PROPOSED ACTION

Land Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 5,954 sq. ft. and B) 6,106 sq. ft. Existing structures to be removed by separate permit.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site Description

The subject site is a rectangular shaped lot with a lot area of 12,060 square feet. The site is relatively flat and is zoned Single-Family 5000 (SF 5000). An existing home is located towards the middle of the site and will be removed upon establishment of a new single-family use. The site is a corner lot with Sand Point Way NE abutting to the west and NE 105th Street abutting to the south. Both streets are improved with an asphalt surface.

Surrounding Area Description

The surrounding areas are zoned SF 5000 and primarily developed with a variety of single-family structures.

Public Comments

The application was deemed complete on February 11, 2006 and notice of application was sent on February 23, 2006. The 14 day public comment period ended on March 8, 2006. Several public comments were submitted and the issues were the following:

- Negative impact to pedestrian and auto safety due to additional driveway.
- An increase in impervious area will compound the existing drainage problem in the area.
- The potential increase of on-street parking along Sandpoint Way NE and NE 105th Street impedes traffic and limits site lines.
- Development of the subject site may compromise the integrity of an existing retaining wall along the easterly property line.
- Applicant should not be allowed to subdivide the property by utilizing the 75/80 provision found in Seattle Municipal Code (SMC) section 23.44.010.B.1.b.

Copies of the public comments can be found in the MUP file. In response to the comments concerning the development of the sites, future development would be subject to Land Use Code regulations including lot area, lot coverage, building height, setbacks, access and off-street parking. The applicant has provided block calculations (can be found in MUP file) stamped by a licensed surveyor as evidence their proposal meets SMC section 23.44.010.B.1.b (75/80 provision) and the zoning planner has reviewed and conditionally approved this proposal. Access can be provided to the sites and the specific location of the driveways will meet code requirements at the building permit stage. The code required off-street parking will be provided for and on-street parking is typically not a development standard associated with single-family development but on-street parking regulations exist to ensure there are no parking areas a minimum distance from stop signs.

As part of the City's analysis, we also solicit responses from several City Departments to ensure that adequate provisions can be in place for fire safety, water and electrical service, sewage and drainage. The drainage reviewer has conditioned the short plat to require a detention system with controlled release to manage stormwater. If DPD determines that the short subdivision criteria are met, the new lots may be created and there is little or no discretion to deny a development proposal such as this if the code requirements are met. If there are future safety issues with the easterly retaining wall due to the future development of the sites, then these issues shall be addressed at the building permit stage.

ANALYSIS – SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees.*

Analysis

Based on information provided by the applicant, referral comments as appropriate from DPD, Fire Departments (SFD), and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. Seattle City Light has reviewed the proposal to ensure the proposed parcels will have electrical facilities and service. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions as set forth in the Land Use Code, and are consistent with applicable development standards. The proposed parcels meet the lot area requirement by utilizing the provision found in SMC 23.44.010B.1.b which allows the creation of lots through short subdivision when the lots are at least seventy-five percent of the minimum required lot area and is at least eighty percent of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone. The 75/80 block analysis can be found in the MUP file. As conditioned, this short subdivision can be provided with vehicular access (including emergency vehicles) and access to install/maintain utilities. Adequate provisions for drainage control, water supply (Water Availability Certificate #20060312 was issued on February 22, 2006) and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is not located in a mapped environmentally critical area nor were any environmentally critical areas observed on site; therefore SMC 25.09.240 is not applicable. No trees will be removed unnecessarily as a result of the proposed configuration of property lines, thus the short plat has been designed to maximize the retention of trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Comply with all applicable standard recording requirements and instructions.

Revise the short plat to show the following:

2. Identify the species of the 10" deciduous tree.

Ink the following condition of approval on the face of the plat:

Ink the following to the first sheet of the short plat "**CONDITION(S) OF APPROVAL**", or on a separate page if needed. If the conditions are on a separate page, insert on the first sheet of the short plat the following, "For conditions of approval after recording, see Page ____ of ____."

3. Detention with controlled release will be required for stormwater control for Proposed Parcel "A" & "B". A shared detention system may be used. Discharge of detained stormwater runoff will be to the closest formal ditch and culvert system.

Prior to Issuance of any Building Permit

4. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Non-Appealable Zoning Requirement

Prior to recording, the owner(s) and/or responsible party(s) shall meet all zoning requirements as determined by the zoning reviewer, and revise legals as requested by DPD's addressing reviewer.

Signature: _____ (signature on file) Date: May 11, 2006
Mark Taylor, Land Use Planner
Department of Planning and Development

MJT:bg

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